

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
: Vincent J. MCGAHAY et al. : Art Unit: 2823
: Serial No.: 09/879,530 : Examiner: J. Maldonado
: Filed: Herewith : Atty Docket: 20136/00344
: Titled: METHOD FOR IMPROVING
ADHESIVE TO COPPER:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. 1.131

Vincent J. McGahay, Thomas H. Ivers, Joyce C. Liu and Henry A. Nye III declare that they are the coinventors of the subject matter which is claimed in U.S. Application Serial No. 09/849,530, which was filed in the United States Patent and Trademark Office on May 7, 2001, which in turn, is a Divisional application of Serial No. 09/231,618, filed in the United States Patent and Trademark Office on January 14, 1999; and that the inventions disclosed and claimed were conceived by us and were reduced to practice to by us and/or under our direction and/or supervision prior to January 4, 1999, which is prior to the filing date of U.S. Patent Application Serial No. 09/225,063, that matured into U.S. Patent 6,143,657, and further states as follows:

Prior to January 4, 1999, inventions disclosed and claimed in the above U.S. Patent application were conceived by us and/or in the United States and were reduced to practice in the United States by us and/or under our direction and/or supervision.

Especially, a semiconductor structure was fabricated by providing a germanium-containing layer of at least one member selected from the group consisting of copper germanide, germanium oxide, germanium nitride and combinations thereof onto at least one surface of a copper member; and providing a layer of a material that is poorly adherent to copper on the germanium-containing layer.

This is further evidenced by Exhibit A (attached herein) which is a true copy with dates being redacted, of IBM Invention Disclosure FI898-0100; Exhibit B (attached hereto) which is a true copy with dates being redacted of an internal paper disclosure; Exhibit C (attached hereto) which is a true copy with dates being redacted of Progress Report 2Q98; and Exhibit D (attached hereto) which is a true copy of dates being redacted, of Status report: 12T12E85L1, 02. All of the dates that had been redacted from the above Exhibits are prior to January 4, 1999.

The undersigned further declares that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

Vincent J. McGahay

Date:

Thomas H. Ivers

Date:

Joyce C. Liu

Date:

Henry A. Nye III